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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,940	03/30/2001	Robert Martin	0102374-00015	7591

21125 7590 06/23/2006

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EXAMINER

PATEL, HARESH N

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 06/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	Application No. 09/823,940	Applicant(s) MARTIN ET AL.	
	Examiner Haresh Patel	Art Unit 2154	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 09 June 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: None.
Claim(s) objected to: None.
Claim(s) rejected: 1-11,24-28,32-38 and 40.
Claim(s) withdrawn from consideration: None.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____


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Continuation of 3. NOTE:

The claims 1-11, 24-28, 32-38 and 40 are rejected with the cited prior arts of the final office action, dated 4/7/2006. Applicant proposed amending the rejected claimed subject matter, with additional limitations, for example, "signal from the context object", etc., which require further consideration and/or search. The claimed invention (dated 1/20/2006) did not contain specific use of "signal (and not other means)", and "signal from the context object", as the limitations "signals the feature object" of the claimed invention is not limited to the usage of signal and/or signal from the context object only and not from what is instantiating or generating etc or others. Also, regarding the applicant's arguments pages 9 - 18, dated 6/9/2006, the cited prior arts still render the claims unpatentable and the final rejection is deemed proper. In fact, the claimed subject matter of the claimed invention is too broad and it reads upon several instances and portions of the cited arts. Further, the specification of this application, very clearly states, "the compiled representation is implemented in an object-oriented environment, e.g., a C++ object environment", col., 5, lines 6 - 15, " the textual description embodying the operations is parsed to generate the compiled representation", "textual description that embodies the operations can be provided, e.g., by a mark-up language such as, XML, DTD, etc", col., 5, lines 6 - 15 and it is well-known in the art that the compiled representation also meaning assembled representation and/or accumulated representation and/or collected representation and/or gathered representation. Also, In the absence of the applicant approaching, the examiner, before the remarks dated 1/20/2006 (for which this office action is issued), for any necessary clarification for any limitations rejected in the previous office action, dated 10/20/2005, (note: the examiner aided the applicant each time the applicant needed any type of clarification (map teachings and/or explanation of examiner's interpretation of the limitations in the cited references) and the examiner addressed all issues to the applicant for the prosecution of this case during the several interviews related to this application. In fact, in one instance the examiner withdrawn the final office action, mailed dated 7/20/2004, which the examiner prepared, dated 6/24/2004, prior to the interview dated 6/29/2004, to accommodate applicant's additional extensive amendments to the claimed subject matter after the interview), and considering the applicant claimed limitations that reads upon several instances / teachings of the cited reference the limitations are properly taught by the Eastep-MCI reference. Also please refer to the response to the arguments section and the rejection section of the previous office action dated 4/7/2006, as it contains responses/rejections that are still applicable for the claimed limitations for the arguments that are made in the remarks dated 6/9/2006. Note: The cancelling of the claims 32-38 and 40 dated 6/9/2006 do not support overcoming the rejections made in the office action dated 4/7/2006.